



# Southern Review

## of Legislative & Regulatory Actions

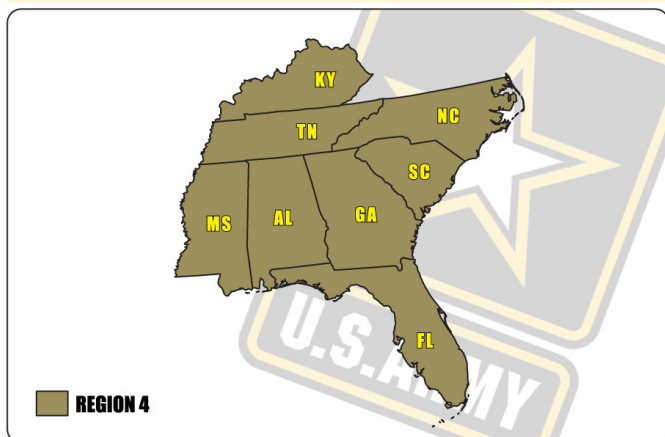


The U.S. Army Regional Environmental & Energy Office

August 2012

**THE SOUTHERN REGION REVIEW** provides current information regarding environmental and energy-related actions and events throughout Federal EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The events reported may be relevant to U.S. Army and other Military Services' activities and operations. The Review is designed to alert environmental decision makers, planners, and program managers of developments potentially relevant to overall responsibilities.

*The Review* is a monthly electronic publication. To receive this publication, please email a request to [rebecca.d.shanks.ctr@mail.mil](mailto:rebecca.d.shanks.ctr@mail.mil). Please include a contact name and email address in the body of the message.



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## Fort Campbell Impresses Ms. Hammack During Visit

When the Honorable Katherine Hammack, Assistant Secretary of the Army for Installation, Energy and Environment, visited Tuesday, her objective was two-fold: Spread the word about current and future Army efforts in her area of responsibility and learn what Fort Campbell is doing in these areas.

She left with the impression that the Pollution Prevention Operations Center is a 'Best Practices' model and encouraged its use at other installations.

"The Pollution Prevention Operations Center is where we manage hazardous materials for all units on the installation," said Director of Public Works Judi Hudson. "During her tour of the facility we described how our PPOC process and environmental handbook make it easy for Soldiers to 'do the right thing' with regard to the environment."

Fort Campbell is often noted at state and local levels for its outstanding conservation and "Green" efforts. Hammack saw why first-hand.

Touring the post on a "Green Bus" the installation purchased with Qualified Recycling Program funding, she received briefings on installation environmental and energy consumption programs. She also dined with Soldiers at the Sustainment Brigade Dining Facility and visited Soldier and Family housing areas.

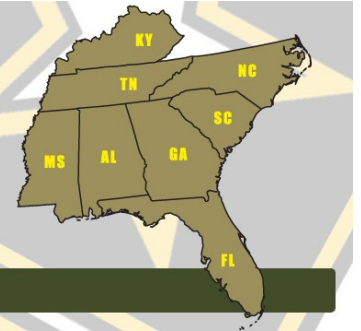
According to Deputy Garrison Commander Chuck Munson, who coordinated the visit, Hammack was impressed by Fort Campbell's efforts. "She was pleased and complimented the installation on its work," he said. "She also challenged us in facilitating any changes that are occurring or will come in the future."

At the Village Commons Community Center, Hammack observed children enjoying the splash-park and boundless playground. She also noted great improvements in housing resulting from the Resident Communities Initiatives and the way ahead for continued improvement under the management of Campbell Crossing, LLC.

[\(full article text\)](#)

# Region 4

For more information on any state issue in Region 4, please contact [Marshall Williams](#), Army Regional Environmental Coordinator, (404)460-3136.



**2012 SESSION DATES: 02/02/12 THROUGH 05/24/12**

## LEGISLATION

**ENERGY, ALABAMA PUBLIC INTEREST ENERGY AND FUEL RESEARCH AND DEVELOPMENT GRANTS PROGRAM ([HB 518](#)):** This action establishes funding for energy and fuel projects; the Advisory Commission on Public Interest Energy and Fuel Research and Development Grants; and Agriculture and Industries Department Center for Alternative Fuels. HB 518 was enacted.

**UNIFORM COVENANTS AND STORAGE TANKS ([HB 341](#)):** This act amends Section 35-19-2, Code of Alabama 1975, to exempt underground (UST) and aboveground storage tanks (AST) storing motor fuel from the requirements of the Alabama Uniform Environmental Covenants Act (UECA), which are not specifically exempt under existing law. HB 341 was enacted.

**SOLID WASTE LANDFILL PERMITS ([HB 556](#)):** This bill would extend the prohibition against the permitting of certain new solid waste facilities from 05/31/13, to 05/31/14. HB 556 was enacted.

**STATE IS OWNER OF STATE WATERS ([SJR 16](#)):** This joint resolution to federal agencies clarifies the state's ownership role over water as a state resource. SJR 116 was enacted.

**[SJR 91](#):** This joint resolution urges Congress to pass legislation that prohibits EPA from regulating greenhouse gas emissions (GHGs) without congressional approval. SJR 91 was enacted.

## PROPOSED RULES

**COASTAL ZONE MANAGEMENT FEE SCHEDULE:** On 11/29/11, the Alabama Department of Environmental Management (ADEM) revised its Division 1 Fee Schedule B, which is used to assess processing fees for coastal consistency reviews in accordance with requirements and limitations of 15 C.F.R. 930.41, and requirements of the Alabama Environmental Management Act, Ala. Code Â§ 22-22A-5(16) (2006 Rplc. Vol.). Revisions constituted a routine program change to ACAMP's federally-approved coastal area management program since the action does not make substantial changes in or to enforceable policies or authorities related to uses subject to management; special management areas; boundaries; authorities and organization; or coordination, public involvement and national interest. ACAMP has requested the federal Ocean and Coastal Resource Management (OCRM) to concur in this determination. [Notice of Routine Program Change](#) was issued on 4/1/12, and comments due by 4/22/12. For further information: Joelle Gore, Chief Coastal Programs Division Chief.

**COASTAL ZONE MANAGEMENT DIVISION 8 REGULATIONS:** On 11/20/11, public notice announced a 01/04/12 public hearing regarding required administrative modifications to ADEM's Division 8 Coastal Program Regulations. Modifications ensure that language related to federal consistency requirements is consistent with the existing statutory and regulatory provisions of Section 307 of the Coastal Zone Management Act and 15 C.F.R. Part 930. Revisions constituted a routine program change to ACAMP's federally-approved coastal area management program since the action does not make substantial changes in or to enforceable policies or authorities related to uses subject to management; special management areas; boundaries; authorities and organization; or coordination, public involvement and national interest. ACAMP has requested the federal Ocean and Coastal Resource Management (OCRM) to concur in this determination. [Notice of Routine Program Change](#) was issued on 4/1/12, and comments were due by 4/22/12. For further information: Joelle Gore,

**AMBIENT AIR MONITORING PLAN (NOTICE):** ADEM has prepared the [Annual Ambient Air Monitoring Plan](#) for 2012, pursuant to 40 CFR 58.10. This plan covers ambient air monitoring activities to be performed by ADEM, the Jefferson County Department of Health, and the City of Huntsville Division of Natural Resources. The [Notice](#) was issued on 06/01/12, and comments were due by 07/01/12. For further information: [Michael Malaier](#).

**SOLID WASTE STUDY (NEWS RELEASE):** ADEM has announced the scheduling of the first in a series of public meetings to be held throughout the State focusing on solid waste management. ADEM is working with Auburn University to facilitate the meetings and compile public input into a final report. Once completed, the final report and any program enhancements will be presented to ADEM and the Alabama Legislature. In its 2011 Regular Session, the Alabama Legislature directed ADEM to evaluate current Alabama solid waste management procedures, including those for permitting new solid waste landfills. The Legislature imposed a 24-month moratorium on issuance of permits to certain new landfills, and passed a one-year extension of this moratorium (through May 2014). For further information: Scott Hughes, (334) 271-7955.

**GENERAL PERMIT ALG120000, METAL FINISHING DISCHARGES (NOTICE):** ADEM is proposing to reissue General NPDES Permit ALG120000 that regulates discharges from primary metals, metal finishing, fabricated metal products, industrial commercial machinery, electronic equipment, measuring and analyzing instruments, foundries consisting of storm water, hydrostatic test water from new containers, non-contact cooling water, cooling tower blowdown, boiler blowdown, demineralizer wastewater, vehicle and equipment exterior wash water, storm water from petroleum storage and handling, and equipment storage and maintenance areas that discharge to waters of the State of Alabama (not designated outstanding national resource water, outstanding Alabama water, or treasured Alabama Lake). Individual facilities and/or operations may propose to operate under this general permit, if reissued, by notifying ADEM and providing required documentation. After receiving such notice of intent, ADEM may regulate discharge under the General Permit. A [Notice](#) was issued 07/26/12. Comments are due 08/25/12. For further information: Russell A. Kelly, (334) 271-7714.

**GENERAL PERMIT ALG140000, TRANSPORTATION AND WAREHOUSING (NOTICE):** ADEM is proposing to reissue General NPDES Permit ALG140000 that regulates discharges from transportation industries and warehousing consisting of storm water, non-contact cooling water, cooling tower blowdown, boiler blowdown, demineralizer wastewater, vehicle and equipment washwater, storm water from petroleum storage and handling, and equipment storage and maintenance areas to waters of the State of Alabama (not designated outstanding national resource water, outstanding Alabama water, or treasured Alabama Lake). Individual facilities and/or operations may propose to operate under the general permit, if reissued, by notifying ADEM and providing required documentation. After receiving such notice of intent, ADEM may regulate discharge under the General Permit. A [Notice](#) was issued 07/26/12. Comments are due 08/25/12. For further information: Russell A. Kelly, (334) 271-7714.



**2012 SESSION DATES: 01/01/12 THROUGH 03/09/12**

## **LEGISLATION**

**ENVIRONMENTAL REGULATION AND WASTE PROCESSING FOR WASTE TO ENERGY (HB 503):** This action relates to local government comprehensive plans and plan amendments; programmatic and regional general permits; permits for projects relating to stormwater management systems, coastal construction, dredge and fill activities, intermodal logistics centers and commercial and industrial development; ambient air quality and water quality standards, and solid waste disposal to include waste to energy facilities. HB 503 was enacted.

**RECLAIMED WATER (HB 639):** This measure provides that reclaimed water is eligible for alternative water supply funding; prohibits exclusion of reclaimed water use in regional water supply planning; prohibits water management districts from requiring permits for use of reclaimed water and from requiring or restricting services provided by reuse utilities. HB 639 was enacted.

**BEACH MANAGEMENT (HB 691):** This action specifies that adequacy of design and construction for projects is supported by certain evidence; authorizes the Florida Department of Environmental Protection (FLDEP) to issue permits for incidental take authorization; requires FLDEP to adopt and amend rules involving excavation and placement of sediment, guidelines and permit streamlining; requires FLDEP to maintain certain project information on its website and notify the

Governor and Legislature of certain changes; and provides permit exemption for specified exploratory activities. HB 691 was enacted.

**DEVELOPMENTS OF REGIONAL IMPACT (HB 979):** This measure requires that comprehensive plan amendments proposing certain development follow state coordinated review process; limits scope of certain recommendations and comments by reviewing agencies regarding proposed development; revises review criteria for regional planning agency reports; provides that specified changes to development orders are not substantial deviations; provides exemption from development-of-regional-impact review for certain proposed development; and revises conditions under which local government is required to rescind development-of-regional-impact development orders. HB 979 was enacted.

**FLORIDA CLIMATE PROTECTION ACT (HB 4001):** This measure repeals provisions for cap and trade regulatory program to reduce greenhouse gas emissions (GHGs) from electric utilities. HB 4001 was enacted.

**ENVIRONMENTAL RESOURCE PERMITTING (HB 7003):** This measure requires FLDEP, in coordination with water management districts, to develop statewide resource permitting rules for activities relating to management and storage of surface waters; provides presumption of compliance for certain stormwater management systems; provides exemptions for specified stormwater management systems and permitted activities. HB 7003 was enacted.

**NULLIFICATION AND REPEAL OF ADMINISTRATIVE RULES (HB 7029):** This action nullifies rules adopted by Northwest Florida Water Management District (WMD), Suwannee River WMD, St. Johns River WMD, Southwest Florida Water Management District WMD, South Florida WMD, former Department of Commerce, former Department of Health and Rehabilitative Services, Health Program Office, former Advisory Council on Intergovernmental Relations, or former Department of Labor and Employment Security. HB 7029 was enacted.

**NUMERIC NUTRIENT CRITERIA (HB 7051):** This action requires FLDEP to publish notice and submit specified rules to EPA for review under the federal CWA. HB 7051 was enacted.

**MILITARY INSTALLATIONS (HB 7075):** This measure authorizes the Florida Defense Support Task Force to recommend to Legislature, specified changes in military installations and local governments under the Community Planning Act; revises legislative intent with respect to proposed closure or reuse of military bases; creates the Military Base Protection Program within DEO; establishes the Florida Defense Reinvestment Grant Program; eliminates the Defense-Related Business Adjustment Program, the Florida Defense Planning Grant Program, the Florida Defense Implementation Grant Program, the Florida Military Installation Reuse Planning and Marketing Grant Program, and the Retention of Military Installations Program; transfers functions and responsibilities of Florida Council on Military Base and Mission Support to Florida Defense Support Task Force; and repeals Florida Council on Military Base and Mission Support. HB 7075 was enacted.

**GROWTH MANAGEMENT (HB 7081):** This action revises and provides provisions relating to growth management, local government comprehensive planning, comprehensive plans, state land planning agencies, local planning agencies, **military base reuse plans**, public facilities reports, etc. HB 7081 was enacted.

**ENERGY (HB 7117):** This action requires utilities' 10-year site plans to address existing and proposed renewable energy production and purchases; provides for portion of proceeds of local government infrastructure surtax to be used to provide loans, grants and rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, subject to referendum; reestablishes corporate tax credit for certain costs related to renewable energy technologies; and directs DMS in coordination with DOACS to further develop state energy management plan. HB 7117 was enacted.

## ***FINAL RULES***

**WATER SHORTAGE PLAN (40D-21.051, .211, .221, .231, .251, .275, .281, .331, .371, .391, .421, .601, .621, .631, .641, .651):** The Southwest Florida Water Management District (SFWMD) has adopted rulemaking to amend its Water Shortage Plan (WSP). Amendments reduce unnecessary regulatory burdens and streamline other benefits for the regulated public. Each WMD is required, by state law, to have and implement a WSP that guides responses to drought and other water shortage events. The SFWMD WSP (Chapter 40D-21, F.A.C.) was first developed in 1984. A Notice of Proposed Rules was published 03/9/12, and comments were due 03/30/12. A Notice of Change was published 05/4/12, the Notice of Rule Filing was published 06/29/12, and the Rules became effective 07/05/12. The [Rule Filing](#) is available. For further information: Barbara Martinez, (813) 985-7481.



## ***PROPOSED RULES***

**STANDARDS FOR ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (FAC, CHAPTER 64E-6):** The FL Department of Health (FLDOH) proposed amendments to standards for onsite sewage treatment and disposal systems. The rulemaking develops rules to implement provisions of Chapter 10-205, Laws of Florida (SB 550), which requires FLDOH to administer an onsite sewage treatment and disposal system evaluation and assessment program. Proposed rules address: application for a System Construction Permit; location and installation of onsite sewage treatment and disposal systems; site evaluation criteria; system size determinations; alternative systems; septage and food establishment sludge; portable restrooms and portable or stationary holding tanks; abandonment of systems standards for construction, operation and maintenance of aerobic treatment units; construction materials and standards for treatment receptacles; construction standards for drain field systems; permitting and construction of repairs; additive use; Department of Agriculture Soil Textural Classification System; system location, design and maintenance criteria; cesspit and undocumented system replacement and interim system use; coordinated permitting; requirements for registration; master septic tank contractors; issuance of registration certificates and renewal; standards of practice and disciplinary guidelines; certification of partnerships and corporation; applications for innovative system permits and reclassification and system construction permits, location, installation, monitoring and Fees. FLDOH held a public workshop 06/04/10 to discuss permitting and approval standards of onsite sewage treatment systems that provide treatment other than a septic tank, such as performance based treatment systems, aerobic treatment units and innovative systems. The Technical Review and Advisory Panel met 07/15/10 and 09/23/10. [Public workshops](#) were held 10/12/10, 10/14/10, 10/18/10, and 10/21/10. A public meeting was held in December 2010, and FLDOH scheduled public meetings through December 2011. Activities are ongoing. For further information: Gerald Briggs, (850) 245-4250.

**RISK BASED CORRECTIVE ACTION (FAC 62-777):** FLDEP has responded to a Petition to Initiate Rulemaking filed by Associated Industries of Florida pursuant to Section 120.54(7), F.S. FLDEP is initiating this rulemaking to commence the necessary dialogue among interested stakeholders to discuss proposed amendments to rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites in Florida. Subject areas to be addressed include FLDEP's RBCA guidance documents, in particular the "Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 62-777, F.A.C. (February 2005)." Additional subjects to be addressed include the site assessment process, fate and transport modeling and statistical methods, the risk assessment process including criteria for allowing use of the probabilistic risk assessment, and criteria for achieving the "No Further Action" status at contaminated sites (with or without controls). A [Notice of Development](#) was published 10/28/11. For further information: [Brian Dougherty](#), 850-245-7503.

**CONSOLIDATION OF RISK-BASED CORRECTIVE ACTION RULE CHAPTERS (62-780.100, .110, .150, .200, .220, .300, .400, .450, .500, .550, .600, .610, .650, .680, .690, .700, .750, .790, .900):** FLDEP has proposed changes to all sections of Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria, as a result of merging Chapters 62-770 (Petroleum Contamination Site Cleanup Criteria), 62-782 (Dry cleaning Solvent Cleanup Criteria), and 62-785 (Brownfields Cleanup Criteria) into the existing Chapter 62-780, F.A.C. Amendment will provide rule consolidation and consistency across programs, where possible, based on governing statutes. Concurrently, FLDEP proposes to repeal Chapters 62-770, 62-782 and 62-785, F.A.C. A [Notice of Rulemaking Development](#) was published 03/09/12. A workshop was held 03/28/12. Comments were received and are being evaluated. There is no set deadline for completion of this action, but high interest exists in both the regulated and regulatory communities. For further information: [Brian Dougherty](#), (850) 245-7503.

**SOLID WASTE FACILITY PERMITTING (FAC 62-701.200, .210, .220, .300, .315, .320, .330, .400, .500, .510, .530, .600, .620, .630, .710, .730, .803, .900):** FLDEP has proposed amendments to Chapter 62-701, F.A.C., which contains regulations for a wide variety of solid waste facilities including landfills, construction and demolition debris disposal facilities and waste processing facilities. The chapter is being amended to clarify that storm water and surface water management are not regulated under solid waste permits. Prohibitions on disposal of yard trash and waste tires are being updated to reflect statutory language. Permit fees for several types of facilities are being eliminated, and a new permit fee for certain general permits is identified. The kinds of documents that must be submitted with certifications of construction completion are clarified. The innovative use of recycled materials in lieu of soil for cover requirements is being specifically authorized. Requirements for routine leachate sampling are being eliminated. Financial assurance requirements for gas recovery facilities are being eliminated. Landfill closure procedures are being clarified. Additional flexibility in monitoring requirements for closed landfills is being added. The current provisions for deferral of financial assurance for disposal units that have not yet accepted waste are being replaced with the requirement that financial assurance is not necessary until 60 days prior to acceptance of waste. To conform to recent statutory changes, the general permit for land clearing debris disposal facilities will now apply to yard trash disposal facilities. Requirements for waste processing facilities are being reorganized and simplified. Indoor waste processing facilities will be allowed to apply for permit renewals under a general permit instead of an individual permit. Small container-to-container transfer sta-

tions will be exempt from permitting requirements under certain conditions, including a notification to FLDEP. These changes will have the effect of reducing permitting requirements for many facilities, and will not impose any additional permitting requirements on any facilities. [Notice of Rulemaking Development](#) was published 08/13/11, and a [Notice of Proposed Rule](#) was published 01/20/12. Comments were due 02/10/12, and hearings were held 02/16/12 and 05/17/12. The Notice was amended 05/04/12, a hearing was held 05/17/12, and a [Notice of Change](#) was published 06/08/12. For further information: [Richard Tedder](#), (850) 245-8735.

**RECLAIMED WATER AND REUSE REQUIREMENTS (40E-20.091; 40E-20.301):** The SFWMD has [proposed to amend Rules](#) 40E-20.091 and 40E-20.301(1)(h), F.A.C., and Section 3.2.3.2.B.2 of the Basis of Review for Water Use Permit Applications within the SFWMD. Amendments require water use permit applicants to obtain written documentation from the local reclaimed water provider addressing availability of reclaimed water. Amendments also require minor general water use permit applicants located within a mandatory reuse zone to perform an end-user feasibility evaluation. A [Notice of Rulemaking Development](#) was published 10/07/11, and a Workshop was held 11/01/11. The [Notice of Proposed Rules](#) was published 06/08/12, and comments were due 06/29/12. A hearing was held 07/12/12, and a [Notice of Correction](#) was published 07/27/12. For further information: [Paulette Glebocki](#), (561) 682-6941.

**EXISTING BROWNFIELD SITE REHABILITATION CRITERIA, PROCESS AND PROCEDURES (62-785.100, .150, .200, .220, .300, .400, .450, .500, .600, .610, .650, .680, .690, .700, .750, .900):** FLDEP has proposed to merge existing Brownfield site rehabilitation criteria, process and procedures contained in Chapter 62-785, F.A.C. into Chapter 62-780, F.A.C.; Chapter 62-785, F.A.C., Brownfields Cleanup Criteria, will be repealed once current Risk-Based Corrective Action (RBCA) rule chapters are merged into Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria. This rulemaking will consolidate and provide consistency across cleanup programs. Concurrently, FLDEP is proposing the expansion of Chapter 62-780, F.A.C., to include all RBCA cleanup rules. A [Notice of Rulemaking Development](#) was published 03/16/12, and a workshop held 03/28/12. There is no set deadline for completion of this action, but high interest exists in both the regulated and regulatory communities. For further information: [Kim Walker](#), (850) 245-8934.

**EXISTING DRY CLEANING SOLVENT CONTAMINATION SITE REHABILITATION CRITERIA, PROCESS AND PROCEDURES (62-782.100, .150, .200, .220, .300, .400, .450, .500, .600, .610, .650, .680, .690, .700, .750, .790, .900):** FLDEP has proposed to merge existing dry cleaning solvent contamination site rehabilitation criteria, process and procedures contained in Chapter 62-782, F.A.C. into Chapter 62-780 F.A.C.; Chapter 62-782, F.A.C., Dry cleaning Solvent Cleanup Criteria, will be repealed once current RBCA rule chapters are merged into Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria. This rulemaking will consolidate and provide consistency across cleanup programs. Concurrently, FLDEP is proposing the expansion of Chapter 62-780, F.A.C., to include all RBCA cleanup rules. A [Notice of Rulemaking Development](#) was published 03/16/12. A workshop was held 03/28/12. There is no set deadline for completion of this action, but high interest exists in both the regulated and regulatory communities. For further information: [Jennifer Farrell](#), (850) 245-8937.

**SIP COMPLIANCE DEMONSTRATION FOR NAAQS OZONE AND REGIONAL HAZE:** FLDEP announces a public hearing and opportunity to offer comments on Florida's State Implementation Plan (SIP) infrastructure submittal for revised NAAQS for ozone, promulgated by EPA on 03/12/08. This is not a SIP revision, rather a demonstration that the state's existing SIP is adequate for implementation, maintenance and enforcement of the revised ozone standard. FLDEP is also proposing that EPA incorporate into Florida's SIP, four Sections: 112.3143(4), 112.3144, 403.131 and 120.569(2)(n), F.S. A public hearing will be held if requested, and it is not necessary that the hearing be held or attended in order for persons to comment on the proposed submittal to EPA. A [Notice](#) was issued on 04/20/12, and comments were due by 5/21/2012. Another [Notice](#) was issued 04/13/12, and comments were due 05/14/12. For further information: [Kelly Stevens](#), (850) 717-9017.

**WATER SUPPLIES AND PLANNING (NOTICE):** The Central Florida Water Initiative has announced a public meeting to provide information on the development of a regional water supply plan for central Florida, including Seminole, Orange, Osceola and Polk counties and southern Lake County. The [Notice](#) was issued 06/15/12, and the meeting was held 06/28/12. For further information: [Nancy Christman](#), (407) 659-4835.

**ENVIRONMENTAL RESOURCE PERMITTING (62-330):** FLDEP has proposed rulemaking relating to environmental resource permitting rules. Section 373.4131, F.S., created by Chapter 2012-94, Laws of Florida, and effective 07/01/12, requires FLDEP, in coordination with the five Water Management Districts (WMDs), to develop statewide environmental resource permitting (ERP) rules governing construction, alteration, operation, maintenance, repair, abandonment and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works or works, or combinations thereof, to implement Part IV of Chapter 373, F.S. FLDEP proposes to substantially amend existing provisions of Chapter 62-330, F.A.C., and add new rules to be implemented by FLDEP, the WMDs, and local governments delegated under

Section 373.441, F.S., without the need for further rulemaking by the WMDs and local governments, pursuant to Section 373.4131, F.S. Rulemaking seeks to establish statewide ERP rules that will rely upon existing rules, revised as necessary to achieve a more consistent, effective and streamlined approach to implement the ERP program. New rules will reduce regulatory costs and burdens for the public, while not lowering environmental standards and continuing to protect the state's water resources. A [Notice of Rulemaking Development](#) published 06/22/12, with an Advisory issued 07/06/12. [Workshops](#) were held/scheduled 07/26/12, 08/07/12 and 08/16/12. For further information: [Mary VanTassel](#), (850) 245-8486.

**STORAGE TANK SYSTEM CLOSURE ASSESSMENT REQUIREMENTS, APRIL 1998 UPDATE:** FLDEP has announced a public meeting concerning FLDEP's petroleum storage tank system reference document entitled "Storage Tank System Closure Assessment Requirements, April 1998." The document's references to cleanup tables and soil and groundwater sampling methodologies need to be updated. The [Notice](#) was issued 06/08/12, and a meeting was held 06/19/12. For further information: [Kimberley Curran](#), (850) 245-8849.

**USED OIL REGULATIONS (62-710):** FLDEP has proposed to amend rules identified in its 2011-2012 Regulatory Plan to delete unnecessary subsections, clarify and ensure internal consistency, and amend rules identified by stakeholders for clarification and simplification. The subject areas to be addressed in include technical corrections to the used oil management regulations in Chapter 62-710, F.A.C. The [Notice of Rulemaking Development](#) was published on 06/22/12. A [Workshop](#) is scheduled for 08/22/12. For further information: [Julie Rainey](#), (850) 245-8713.

**SOLID WASTE/RECYCLING (62-716.100 - 62-716.900):** FLDEP has proposed rulemaking related to solid waste grants and recycling programs: Chapter 2010-143, Laws of Florida, creates new requirements to be implemented by rule. It requires FLDEP to develop a reporting format for recycling rates; create a voluntary certification program for materials recovery facilities; and establish a method and criteria to be used by counties in calculating recycling rates. FLDEP intends to amend the title of this Chapter to broaden its scope to include new provisions. Amendments to the solid waste management grant program made it necessary to amend Chapter for consistency. A [Notice of Rulemaking Development](#) was published 08/13/10, a hearing was held 09/30/10, and an advisory was issued 07/06/12. A [Workshop](#) was held 07/27/12. For further information: [Raoul Clarke](#), (850) 245-8750.

**CONSISTENCY IN CONSUMPTIVE USE PERMITTING PROGRAMS IN WMDs (62-40.110, .210, .310, .410, .412, .416, .473, .474, .510, .520, .530, .531, .540, 40A (MISCELLANEOUS)):** FLDEP has proposed rulemaking as instructed by House Bill (HB) 639 and as part of a statewide effort to improve consistency among Consumptive Use Permitting (CUP) Programs implemented by WMDs. HB 639 requires FLDEP to initiate rule making by 10/01/12 to revise the Water Resource Implementation Rule, Chapter 62-40, F.A.C., to include criteria for reuse offsets and credits. Proposed criteria are the product of the Reclaimed Water Policy Workgroup, which is comprised of representatives of FLDEP, Florida's five WMDs, Florida Water Environment Association Utility Council, Florida League of Cities, Florida Association of Counties, individual local government utilities, and environmental consulting firms. The Workgroup was convened to discuss how state regulatory policy could better optimize reuse of reclaimed water. In addition to offsets and credits, Chapter 62-40 will be revised to include recommendations of the Reclaimed Water Policy Workgroup and recommendations resulting from the CUP Consistency Initiative. The initiative began in the fall of 2011 as a statewide effort headed by FLDEP and joined by all five WMDs, to increase consistency in CUP, minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is to be coordinated with similar rule development by other Florida WMDs. It will make appropriate rule amendments to FLDEP Chapter 62-40, F.A.C., and to individual WMD Chapters 40A-1, 40A-2, and 40A-21, F.A.C., to address the following goals of FLDEP and the WMDs for the rulemaking: make CUP rules less confusing for applicants; treat applicants equitably statewide; provide consistent protection of the environment; streamline application and permitting processes; and incentivize behavior that protects water resources, including water conservation. The Notice of Rulemaking Development was published 07/20/12. Workshops are scheduled for 08/07-08/08/12, 08/10/12, 08/15/12, 08/16/12, 08/21/12, 08/22/12, 08/29/12, 08/31/12, and other dates per the [Notice](#). For further information: [Kathleen P. Greenwood](#), (850) 245-3147.

**AQUATIC PLANT MANAGEMENT (68F-54.001, .003, .0035, .005):** The Fish and Wildlife Conservation Commission (FWC) has proposed amendments to clarify that the program operates as a cost reimbursement program and utilizes government agencies and private sector contractors to manage aquatic plants in public water bodies. Additional waters are being added to the list of waters eligible for funding of aquatic plant management. A [Notice of Rulemaking Development](#) was published 03/23/12, and Workshops were held 04/17/12 and 04/18/12. [Notice of Proposed Rules](#) was published 07/27/12. Comments are due by 08/17/12. For further information: William Caton.

**RENEWABLE ENERGY TAXES AND PRODUCTION CREDITS (50-2.001, 50-2.002, 50-2.003):** The Department of Agriculture and Consumer Services, Office of Energy has proposed a new rule that will provide guidance to interested taxpayer-

ers for the application process, review and administration of the Florida Renewable Energy Technology Sales Tax Refund, the Florida Renewable Energy Technology Investment Tax Credit and the Florida Renewable Energy Production Credit. A [Notice of Rulemaking Development](#) was published 07/27/12. A Workshop is scheduled for 08/15/12. For further information: April Groover, (850) 617-7470.



## **2012 SESSION DATES: 01/09/12 THROUGH 03/29/12**

**\*Georgia has two sessions, and 2011 bills carry over\***

### **LEGISLATION**

**BONA FIDE CONSERVATION USE PROPERTY (HB 916):** This measure changes certain qualifications and restrictions regarding covenants. HB 916 was enacted.

**GHG RESOLUTION TO CONGRESS (SB 848):** This resolution urges Congress to prohibit EPA from further regulating GHG emissions without a comprehensive economic and environmental study; and for other purposes. SB 848 was adopted.

### **PROPOSED RULES**

**SPILL REPORTING (GAC 391-3-6-.05):** The Georgia Environmental Protection Division (GAEPD) proposed amendments that would modify the definition of "Major Spills," revise reporting requirements for non-major spills and amend the monitoring program protocol. The [Proposed Rule](#) was published 09/08/10, and a public hearing was held 10/15/10. Comments were due 10/29/10. Substantial comments were received; GAEPD is reconciling them. GAEPD will then take the rule before the Board. An additional hearing was held 04/10/12, comments were due 04/19/12, and adoption was considered at the 05/23/12 Natural Resources Board meeting. For further information: Marzieh Shahbazaz, (404) 362-2680.

**ANTIDEGRADATION POLICY (391-3-6-.03):** This [rule is being amended](#) to revise Georgia's [Guidelines to Wastewater Discharge Antidegradation Analysis](#) to better describe which requirements must be met before the State will allow discharge of pollutants into Tier 2 (high quality) waters. In addition, a Tier 2.5 designation is being added to protect Significant Natural Resource Waters. Finally, the requirements for Tier 3 waters (Outstanding National Resource Waters or ONRW) are being modified to allow for temporary or short-term changes in water quality, to update the attributes of waters considered for ONRW designation, to clarify that waters designated as ONRW will be included in the Rules, and to reword and renumber the requirements regarding new and expanding point source discharges upstream of and tributary to an ONRW. Public hearings were held 10/18/11-10/20/11. Comments were due 10/27/11, and a meeting was held 12/17/11. For further information: Jane Hendricks, (404) 362-2680.

**HAZARDOUS WASTE MANAGEMENT (391-3-11):** GAEPD has proposed amendments relating to hazardous waste management. Proposed regulations are being amended to: clarify notification requirements, specifically for hazardous waste transfer facilities and used oil facilities, and documentation and record keeping requirements for hazardous waste accumulation areas, and clarify that used oil containers and tanks must be kept closed except when adding or removing waste; clarify compliance monitoring provisions and correct typographical errors and omissions; amend the F019 listing to exempt wastewater treatment sludge from phosphating processes; establish an alternative set of generator requirements applicable to eligible academic entities; reflect the new name for USEPA Office of Resource Conservation and Recovery; terminate regulations known as the National Environmental Performance Track Program; establish an alternative set of generator requirements applicable to eligible academic entities that are flexible and protective; remove saccharin and its salts from the lists of hazardous constituents and commercial chemical products; allow authorized manifest form printers greater flexibility in complying with Federal printing specifications; implement recent changes to agreements concerning transboundary movement of hazardous waste among OECD countries; and finalize amendments to NESHAPs and Final Standards for HAPs for hazardous waste combustors; provide an alternative standard to use the best demonstrated available technologies for treating carbamate wastes prior to land disposal. The [Notice of Public Hearing](#) and [Proposed Amendments](#) were published 11/15/11. A Hearing was held 12/15/11, and comments were due 12/19/11. For further information: Mark Smith, 404-463-8509.

**VOLATILE ORGANIC COMPOUND (VOC) EMISSIONS (391-3-1-.02(2)(A)6, 391-3-1-.02(2)(KKK)):** GADNR has proposed amendments to Georgia's Rules for Air Quality Control, Chapter 391-3-1. Rule 391-3-1-.02(2)(a)6., "General Provisions, VOC Emission Standards, Exemptions, Area Designations, Compliance Schedules and Compliance Determinations"



is amended to lower the applicability threshold for 14 VOC rules from 100 tons per year to 15 pounds per day for sources located in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton Counties, effective 01/01/15. Rule 391-3-1-.02(2)(kkk), "VOC Emissions from Aerospace Manufacturing and Rework Facilities," is amended to lower the applicability threshold from 100 tons per year to 25 tons per year for sources located in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton Counties effective 01/01/15. A [Notice of Proposed Amendments](#) was filed 07/16/12. A Hearing is scheduled for 08/20/12, and comments are due 08/21/12. For [further information](#): Air Quality Branch, 404-363-7000.



***2012 SESSION DATES: JANUARY 3, 2012 THROUGH APRIL 12, 2012***

***NO SIGNIFICANT ENVIRONMENTAL OR ENERGY RELATED LEGISLATION TO REPORT***

***PROPOSED RULES***

**BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING (807 KAR 5:100, 5:110):** The Kentucky Energy and Environment Cabinet (KEEC) has proposed amendments to rules concerning [Board on Electric Generation and Transmission Siting](#) proceedings and permit application requirements. Amendment establishes procedures related to applications, filings, notice requirements, hearings and confidential material under the jurisdiction of the Kentucky State Board on Electric Generation and Transmission Siting; adds language regarding carbon dioxide pipelines; establishes the initial filing fee for an application with the Siting Board for a construction certificate for a carbon dioxide transmission pipeline. Rules were proposed 06/04/11, and a public hearing was held 07/25/11. Comments were due 07/31/11. Following revisions based on comments received, a public hearing was held 10/24/11. Revisions await legislative approval. For further information: Quang Nguyen, (502) 564-3940.

**AIR/PM2.5 NAAQS RE-DESIGNATION:** KEEC will conduct a public hearing to receive comments on a proposed State Implementation Plan (SIP) revision to re-designate the Kentucky portion of the Louisville, Kentucky-Indiana area from nonattainment to attainment for the annual PM2.5 NAAQS to address sections 107 and 175A of the CAA. The revision, when approved by EPA, will re-designate the Counties of Bullitt and Jefferson to attainment, and document that ambient monitoring data for annual PM2.5 indicates NAAQS attainment. A [Notice of Public Hearing](#) was published 12/21/11. A hearing was held, and comments were due 02/03/12. For further information: [John Gowins](#), (502) 564-3999.

**AMBIENT AIR MONITORING NETWORK (NOTICE):** KEEC has made the annual monitoring network plan available for public inspection prior to submission to EPA. The plan details operation and location of ambient air monitors operated by the Kentucky Division for Air Quality, Louisville Metro Air Pollution Control District, and the National Park Service. The [Notice](#) was issued 05/25/12, and comments were due 06/24/12. For further information: [Jennifer F. Miller](#), (502) 564-3999.

**PM2.5 NAAQS (401 KAR 51:017):** KDEP has proposed an amendment to reflect revisions to the federal Prevention of Significant Deterioration (PSD) program to address PM2.5 NAAQS. Amendment includes maximum allowable increases for Class I and II PM2.5 at annual and 24-hour levels. It includes de minimis levels to preclude further evaluation for sources emitting or increasing emissions by an amount less than the air quality impact levels for PM2.5. Amendments are necessary to ensure consistency between state and federal programs. The [Proposed Rules](#) were filed 06/19/12, and published 07/01/12. A [Hearing](#) was held 07/24/12, and comments were due 07/31/12. For further information: [Laura Lund](#), (502) 564-3999, ext. 4428.

**KPDES PROGRAM SCOPE (401 KAR 5:055):** KDEP has proposed an amendment to the administrative regulation that establishes scope and applicability of the KPDES program, including specific inclusions, exclusions, prohibitions, requirements for general permits, requirements for disposal into wells and publicly-owned treatment works (POTW), and disposal by land application. Amendment updates citations to corresponding federal regulations, and clarifies that state requirements are the same as federal requirements. Amendment clarifies that the KEEC will consult with EPA's Regional Administrator as required by 40 C.F.R. 124.62(a)(2), before approving innovative technology. [Proposed Rules](#) were filed 07/09/12, a hearing is scheduled for 08/28/12, and comments are due 08/31/12. For further information: [Karen Cronen](#), (502) 564-3410.



**2012 SESSION DATES: 01/03/12 THROUGH 05/03/12**

### **LEGISLATION**

**CLEAN AIR ACT TITLE V PERMIT FEES ([SB 2812](#)):** This bill provides for annual fee limitation for CAA Title V air permits. SB 2812 was enacted.

### **FINAL RULES**

**DRINKING WATER REGULATIONS - PRIMACY (TITLE 15, PART 20, SUBPART 72, CHAPTER 1):** The Department of Health has adopted updates to the MS Primary Drinking Water Regulations to obtain primacy for the Ground Water Rule, Long Term 1 Enhanced Surface Water Treatment Rule, Long Term 2 Enhanced Surface Water Treatment Rule, Stage 2 Disinfection Byproducts Rule, and Lead and Copper Short Term Revisions, as required by the EPA. [Proposed Rules](#) were filed 06/06/12, comments were due 07/01/12, a hearing was held 07/06/12, and [Final Rules](#) were filed on 07/24/12. For further information: [Mike Lucius](#), (601) 576-7847.

### **PROPOSED RULES**

**CONSERVATION AND ENERGY EFFICIENCY PROGRAMS (RULE 29):** The Mississippi Public Service Commission (MSPSC) proposed new Public Utilities Rules of Practice and Procedure Rule 29 to implement energy efficiency programs and standards in Mississippi. The rule applies to electric and natural gas service providers subject to the jurisdiction of MSPSC. It is intended to encourage early implementation of energy efficiency programs, and to provide experience on which Mississippi's service providers and the MSPSC can build long-term energy efficiency programs. The [proposed rule](#) was submitted 08/04/11. Public comments were due 09/16/11. A public hearing will be set by subsequent order of the MSPSC. For further information: [Brian Ray](#), (601) 961-5434.

**HYDRAULIC FRACTURE STIMULATION PROCEDURES (STATEWIDE RULE 1.26):** The State Oil and Gas Board has [proposed amendments and revisions](#) to existing Statewide Rule 1.26 to prescribe new regulatory, permitting and notification requirements applicable to hydraulic fracture stimulation procedures on oil and gas wells. The Proposed Rules were filed 06/29/12, and comments were due 07/24/12. A Hearing is scheduled for 08/15/12. For further information: [Howard O. Leach](#), (601) 576-4921.



**2012 SESSION DATES: 05/01/12 THROUGH 07/03/12**

**\*North Carolina has two sessions, and 2011 bills carry over\***

### **LEGISLATION**

**CLEAN ENERGY TRANSPORTATION ACT ([HB 177](#)):** This act creates an interagency task force to study the feasibility and desirability of advancing the use of alternative fuels by state agencies and the development of associated fueling infrastructure; establishes criteria for operation of electric vehicle charging stations located at state-owned rest stops along highways and; amends the energy jobs act of 2011 if the energy jobs act of 2011 becomes law. HB 177 was enacted.

**COASTAL ZONE MANAGEMENT, SEA LEVEL RISE ([HB 819](#)):** This act limits sea level rise calculations for regulatory purposes. Coastal Resources Commission shall be the only State agency authorized to define rates of sea-level rise for regulatory purposes, and shall do so in conjunction with the Division of Coastal Management. HB 819 passed both Houses, and is awaiting the Governor's action.

**STATE AIR TOXICS PROGRAM REFORMS ([HB 952](#)):** This act exempts from state air toxics emissions controls, those sources of emissions subject to certain federal emissions requirements. HB 952 was enacted.

**CLEAN ENERGY AND ECONOMIC SECURITY ACT ([SB 820](#)):** This act establishes an oil and gas board; authorizes the processes of horizontal drilling and fracturing (with a moratorium on permitting until 07/01/14); establishes a legislation commission on energy policy; directs purchase of compressed natural gas vehicles; and creates an interagency task force to establish public-private partnerships for the construction development of compressed natural gas fueling infra-

structure. The Governor's veto was overridden; SB 820 was enacted.

**AMEND CERTAIN ENVIRONMENTAL LAWS (SB 229):** This act amends certain environmental and natural resources laws: directs the North Carolina Department of Natural Resources (NCDENR) to report on the integration of stormwater capture and reuse into regulatory programs; directs NCDENR to study degradable plastic products potential to contaminate feedstocks; clarifies that water quality permits are not required for solid waste compost facilities; allows alternative measures for stormwater control at airports; amends the Neuse and Tar-Pamlico river basin buffer rules allow to development adjacent to surface waters under certain conditions; provides flexibility in basin-wide water quality management plans for waters designated as nutrient sensitive; and amends the definition of community water system. SB 229 passed both Houses, and is awaiting the Governor's action.

## ***PROPOSED RULES***

**PSD REQUIREMENTS FOR GHGs (15A NCAC 02D .0544):** The North Carolina Department of Natural Resources (NCDENR) has [proposed an amendment](#) to update the PSD for GHGs Rule in order to reflect the three year Federal deferral from consideration of CO2 emissions from combustion of biomass. The deferral was promulgated 07/20/11 (76 FR 43490). The Environmental Management Commission (EMC) is requested to approve one or more public hearings to consider these temporary rules. So the existing rule is no more restrictive than the Federal rule in accordance with G.S. 150B-19.3, NC Division of Air Quality (DAQ) needs to amend the State rule to incorporate the EPA deferral period for biogenic CO2 emissions. Also under G.S. 150B 19.1(a)(2), an agency shall seek to reduce the burden upon those persons or entities who must comply with the rule being adopted. Deferring biogenic CO2 emissions will reduce the regulatory burden on affected facilities by eliminating biogenic CO2 emissions when determining whether a stationary source meets the PSD and Title V applicability thresholds, including those for the application of Best Available Control Technology (BACT). A Temporary Rule is being presented to the Board to ensure that stationary sources would not have to complete a BACT analysis for biogenic CO2, and possibly be required to install equipment to control emissions during the three year deferral period and during the permanent rulemaking process. EPA's future rulemaking is uncertain until EPA completes review of the scientific and technical issues related to accounting for biogenic CO2 emissions. A [public hearing](#) was held 09/28/11, and public comments were due 10/14/11. A second hearing was held 03/14/12, and comments were due 04/02/12. For further information: [Joelle Burleson](#), 919-733-1474.

**ALBEMARLE-PAMLICO NATIONAL ESTUARY PROGRAM DRAFT MANAGEMENT PLAN - INPUT REQUESTED:** The Albemarle-Pamlico National Estuary Program (APNEP) is seeking feedback from partners and the public on its draft Comprehensive Conservation and Management Plan to protect and restore the Albemarle-Pamlico estuarine system. The plan provides an overarching vision and direction to advance ecosystem management and protection for the Albemarle-Pamlico estuary during the next 10 years. APNEP is a federally funded program that supports ecosystem-based management of the Albemarle-Pamlico estuary and its watershed, an area that spans parts of North Carolina and Virginia. APNEP's mission is to identify, protect and restore the significant resources of the Albemarle-Pamlico estuarine system. The program pursues its mission by working closely with residents, scientists, universities, businesses, non-profit organizations and all levels of government. It is supported by NCDENR, EPA and the Virginia Department of Conservation and Recreation. To facilitate public input and dialogue, APNEP will conduct public meetings in eastern North Carolina and southeastern Virginia in November and December (see below). The objectives of the meetings are to present an overview of the draft plan and the process to develop it, and provide members of the public with an opportunity to ask clarifying questions about the draft strategic action plan and offer comments and suggestions. The meetings will include a presentation and a public comment session, hosted in an open house format where participants will have informal opportunities to engage with APNEP staff on specific topics. Please note, these are not regulatory hearings, and advertisement of these meetings in the North Carolina Register is for notification purposes only. The [Notice](#) was published on 11/15/11. Meetings were held 11/21/11-11/22/11, 11/29/11-11/30/11, and 12/06/11-12/07/11. Comments were due 01/17/12. For further information: Albemarle-Pamlico National Estuary Program, c/o [Jim Hawhee](#), (919) 707-8632.

**FEDERAL DEFERRAL OF CO2 EMISSIONS FROM COMBUSTION OF BIOMASS (15A NCAC 02D .0544):** NCDENR has proposed an amendment to Rule 15A NCAC 02D .0544, Prevention Of Significant Deterioration (PSD) Requirements For Greenhouse Gases, to defer EPA's application of PSD permitting requirements to biogenic CO2 emissions from bioenergy and other biogenic stationary sources for three years. The deferral was promulgated 07/20/11 (76 FR 43490); [Proposed Rule Amendment](#) was published 01/24/11; [Proposed Rule published in the Register](#) 02/01/12. A [Hearing](#) was held 03/14/12, and comments were due 04/02/12. There is also a [separate temporary rulemaking action](#). A [Rules Review Meeting](#) was held 06/20/12; [Rules Review Commission Minutes](#) are available. For further information: [Joelle Burleson](#), (919) 707-8720.

**WASTEWATER OPERATOR CERTIFICATION (NEW 21 NCAC 39 .0202; AMEND 21 NCAC 39 .0101, .0601, .1005):** The

On-Site Wastewater Contractors and Inspectors Certification Board has proposed rule changes to 21 NCAC 39 .0101 to clarify the meaning of "ancillary" as used in the Board's practice act, and 21 NCAC 39 .0202 to facilitate transition of a certified contractor to another employee. Changes to 21 NCAC 39 .0601 reduce continuing education requirements to reflect requirements that other industry-related certifications impose that have a long term history and are sufficient to protect the environment and public welfare; remove carryover of continuing education if such requirements are reduced as proposed; require each certificate holder to be present for a minimum amount of time at each class, verified by the provider. Changes to 21 NCAC 39 .1005(c)(1) correct a word error overlooked in the current version of the rule. The [Proposed Rules](#) were published 06/15/12. A Hearing was held 08/01/12. Comments are due 08/14/12. For further information: [Connie Stephens](#), (336) 202-3126.

**GENERAL NPDES WASTEWATER PERMIT (NOTICE):** The Environmental Management Commission has proposed to reissue an expiring wastewater discharge permit for NPDES General Permit No. NCG550000, associated with discharges of domestic wastewater from single family residences and other 100% domestic discharges with similar characteristics. The NC Division of Water Quality (DWQ) is noticing intent to reissue a revised version of the permit with changes in conditions. This draft will be available for public comment and written comments regarding the proposed permit will be accepted until 30 days after the publish date of this notice. DWQ is noticing the existing permit with the expectation that it might be reissued with an expiration date of 07/31/13, or until the revised permit draft is finalized, whichever comes first. The [Notice](#) was issued 06/15/12, and comments were due 07/15/12.

**PERMEABLE PAVEMENT IN BMP MANUAL (NOTICE):** NCDENR has invited comment on draft revised Chapter 18: Permeable Pavement of the North Carolina BMP Manual. Updates will allow statewide use of permeable pavement, with appropriate design modifications for lower permeability soils. DWQ has updated design and regulatory credit to reflect the advancements in the field of permeable pavement. The [Notice](#) and [Fact Sheet](#) were issued 06/01/12. Comments were due 08/01/12. For further information: [Boyd Devane](#).

**CO2 EMISSIONS FROM BIOMASS PLANTS (15A NCAC 02D .0544):** NCDENR proposed amendment to Rule 15A NCAC 02D .0544, Prevention of Significant Deterioration (PSD) Requirements for Greenhouse Gases, to incorporate EPA deferral of the application of PSD permitting requirements to biogenic carbon dioxide (CO2) emissions from bioenergy and other biogenic stationary sources for three years. The deferral was promulgated 07/20/11 (76 FR 43490). [Proposed Rules](#) were filed 01/24/12, and published on 02/01/12. A Hearing was held 03/14/12, comments were due 04/02/12, the Rules Review Commission met and [Minutes](#) were published 07/16/12. For further information: [Joelle Burleson](#), (919) 707-8720.



**2012 SESSION DATES: 01/10/12 THROUGH 06/07/12**

**\*South Carolina has two sessions, and 2011 bills carry over\***

## **LEGISLATION**

**INTERNATIONAL ENERGY CONSERVATION CODE OF 2009 (HB 4639):** This bill adopts the 2009 edition of the international energy conservation code as the energy standard. HB 4639 was enacted.

**EXEMPTIONS AND LIMITATIONS ON POLLUTANTS (HB 4654):** This measure prohibits discharge of pollutants into the environment and remedies for violations; deletes provisions relating to required procedures preceding issuance of a final order; and provides that an order is subject to review pursuant to the administrative procedures act. HB 4653 was enacted.

**NATIONAL OCEAN COUNCIL (HCR 4703):** This concurrent resolution opposes and refuses to recognize or enforce the coastal and marine spatial plans created in South Carolina pursuant to the authority of the National Ocean Council. HCR 4703 passed the House, and **may be an indication of anticipated disputes between state and federal officials as planning develops**. HCR 4703 was House and Senate adopted.

**SAVANNAH RIVER (HJR 4627):** This joint resolution suspends the authority of the South Carolina Department of Health and Control (SCDHEC) for all decisions, subsequent to 2007, pertaining to navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues of the South Carolina portion of the Savannah River. The authority of the Savannah River Maritime Commission supersedes the authority of SCDHEC for actions concerning the Savannah River. HJR 4627 was enacted (veto overridden).



**WATER WITHDRAWAL FEES (SB 1220):** This bill amends fees imposed by SCDHEC for the surface water withdrawal program. It also reauthorizes fees for surface water withdrawal applications and permits that would otherwise have been repealed 01/01/13. SB 1220 was enacted.

## ***PROPOSED RULES***

**AIR POLLUTION CONTROL (61-62.60; 61-62.61; 61-62.63; 61-62.5):** SCDHEC has proposed amendments to air pollution control regulations and standards and the SC Air Quality SIP: amend Regulations 61-62.60, .61 and .63, to incorporate by reference federal amendments published from 01/01/10 through 12/31/10; amend Regulation 61-62.63, to incorporate a 2008 amendment to 40 CFR Part 63 based on a final rule entitled National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (73 FR 35939, 06/25/08); reformat the AAQS Table and revise Regulation 61-62.5, Standard 2, to incorporate deletion of an annual standard for PM10 that EPA revoked in 2006; and amend Regulation, 61-62.5, Standard 7, to incorporate maximum allowable increases in ambient pollutant concentrations ("increments") required by PSD for PM 2.5 (75 FR 64864, 10/20/10). The final rule adds two EPA screening tools PM2.5. The tools are not federally mandated and may be incorporated in a future action. SCDHEC may propose other changes to Regulation 61-62, to include corrections for internal consistency, clarification, reference, punctuation, codification, formatting and spelling. Proposed amendments in this Notice will not be more stringent than current federal requirements, thus do not require legislative review. [Notice of Drafting](#) was published 10/28/11, and comments were due 11/28/11. For further information: [Mallori McAllister](#).

**GENERAL PERMIT FOR FUEL COMBUSTION:** SCDHEC has proposed revisions to the general conditional major air pollution operating permit for fuel combustion operations to update emission limitations to include federally enforceable GHG limitations. The permit limits a facility's potential to emit below major source thresholds for the Title V permit program and New Source Review, and contains conditions to assure that these facilities are operated as non-major sources. SCDHEC examined fuel combustion operations and has concluded that the general permit, as proposed, is consistent with state and federal air pollution regulations. "Fuel combustion operations," for purpose of this permit, are defined as facilities comprised of one or more fuel combustion sources (including boilers, emergency generators, and non-emergency generators) fired on natural gas, propane, virgin fuel oil, and/or used spec oil as defined in S.C. Regulation 61-62.1, Section 1, fuel storage tanks, ethylene oxide sterilizers located at hospitals, or other sources approved by SCDHEC. The [Notice](#) was issued 05/30/12, and comments were due 06/24/12. For further information: Alyson Hayes, (803) 898-3836.



***2012 SESSION DATES: 01/10/12 THROUGH 05/01/12***

***\*Tennessee has two sessions, and 2011 bills carry over\****

## ***LEGISLATION***

**MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s) (SB 3187):** This measure authorizes MS4s to administer their own NPDES storm water construction permitting programs. SB 3187 was enacted.

**VARIANCES FOR CERTAIN OPEN BURNINGS (SB 3549):** This action authorizes the TDEC Commissioner to grant variances for certain open burnings and emissions testing requirements. SB 3549 was enacted.

## ***PROPOSED RULES***

**LEAD-BASED PAINT ABATEMENT (1200-1-18-.1-.6, 0400-13-1.1-.6):** The Tennessee Department of Environment and Conservation (TDEC) has [proposed amendments](#) that would provide procedures and requirements for accreditation of lead-based paint activities and renovation training programs; outline procedures and requirements for certification of individuals and firms engaged in lead-based paint activities; and provide work practice standards for performing such activities. Amendments would repeal unnecessary provisions, and stipulate that all lead-based paint activities be performed by certified individuals and firms. OGC completed its review the week of 03/09/10. The rule was sent to the Attorney General for review and to ensure that legislative authorities are in existence and cited properly. The rule remains at the Attorney General's Office. It is anticipated that the rule will be filed with the Secretary of State. The rule becomes effective 90 days after filing. For further information: [Adrianne White](#), 615-532-0885.

**STATE SOLID WASTE REDUCTION GOALS (TAC 1200-1-7-.1, -.9, -.10):** TDEC has [proposed amendments](#) to address state waste reduction goals: reduce annually, the amount of solid waste going to Class I, Class III, and Class IV landfills. The rule addresses a private sector survey that would establish a baseline index for waste reduction and recycling activi-

ties, as well as monitor change. The current waste disposal reduction goal would be deleted in its entirety. Amendments would add definitions for calculated generation, municipal solid waste, E-scrap, local government, material derived fuels and waste to energy facility/combustor. The rule did not go before the Solid Waste Disposal Control Board at the 12/07/10 meeting. There were meetings with stakeholders in 2011 to help to shape draft language. There is no schedule for drafting new rule language. For further information: [Greg Luke](#), 615-532-0874.

**BIOSOLIDS MANAGEMENT (0400-40-15-.01 THROUGH -.06):** TDEC has proposed rulemaking to promulgate rules for land application of biosolids. Biosolids are currently regulated under 40 CFR Part 503, although Tennessee has no authority to enforce 40 CFR Part 503. EPA Region 4 is the permitting authority per Part 503, but has had a very small presence in Tennessee since promulgation of 40 CFR Part 503 in 1993. With EPA's national divestment in biosolids enforcement, it is unlikely that there will be a future EPA presence in Tennessee relative to the matter. For all practical purposes, requirements of the proposed Tennessee rules are virtually the same as those stipulated in 40 CFR Part 503 for land application of Class B biosolids. To land apply Class B biosolids under 40 CFR Part 503, pathogen reduction and vector attraction reduction options must be met, and the concentrations of certain metals (pollutants or contaminants) must not exceed safe levels; requirements of these proposed rules for pathogen reduction and vector attraction reduction are the same as those in 40 CFR Part 503. Monitoring frequency, record keeping and reporting requirements are also the same. Proposed rules provide specifics for the agronomic rate calculation and add setbacks to ensure protection State waters. A [Notice of Rule Making Hearing](#) was filed 05/23/12. Hearings were held 07/23/12, 07/24/12, 07/30/12, and 07/31/12. Comments are due 09/07/12. For further information: [Robert Dette](#), (615) 253-5319.

## Department of Defense Activity

**NAVY'S SHORE ENERGY MANAGEMENT INSTRUCTION (07/10/12):** The Chief of Naval Operations (CNO) updated [OPNAV Instruction 4100.5e](#), "Shore Energy Management." The instruction codifies Navy's policy and strategy to ensure energy security as a strategic imperative.

## Federal Activity

### *AIR*

**PM NAAQS (07/02/12, [73 FR 38760](#)):** EPA is proposing to revise the national ambient air quality standards (NAAQS) for particulate matter (PM). The action corrects a typographical error in a preamble table. For further information: [Beth Hassett-Sipple](#), 919-541-4605.

**PM NAAQS (07/02/12, [77 FR 39205](#)):** EPA is proposing changes to: the primary and secondary NAAQS for PM to provide requisite protection of public health and welfare, and to make revisions to the data handling conventions for PM and ambient air monitoring, reporting, and network design requirements; Air Quality Index (AQI) to be consistent with proposed primary standards; and prevention of significant deterioration (PSD) permitting program with respect to proposed NAAQS revisions. Comments are due 08/31/12. For further information: [Beth Hassett-Sipple](#), (919) 541-4605.

**PSD, TITLE V GHG TAILORING RULE STEP 3; GHG PLANT-WIDE APPLICABILITY LIMITS (07/12/12, [77 FR 41051](#)):** EPA has issued a final rule addressing permitting sources of GHG emissions under the Prevention of Significant Deterioration (PSD) and Title V programs. The rule completes Step 3 of the Tailoring Rule and has determined not to lower current PSD and Title V applicability thresholds for GHG-emitting sources established in the Tailoring Rule for Steps 1 and 2. The Tailoring Rule was necessary to avoid overwhelming state regulatory programs with a large volume of applications. CAA applicability requirements determine which sources are subject to permitting under these programs, and are based on annual potential emission rates of 100 or 250 tons per year (tpy). Under the Tailoring Rule, EPA established applicability levels at 100,000 tons CO<sub>2</sub> equivalent per year (or 75,000 TPY for facilities that have the potential to emit any other regulated New Source Review pollutant at or above the applicable major source threshold). EPA has decided not to change these applicability levels because state permitting authorities have not had sufficient time to increase GHG permitting expertise and capacity, and EPA and state permitting authorities have not had the opportunity to develop streamlined permitting measures. EPA is also promulgating regulatory revisions for better implementation of the federal program that establishes plant-wide applicability limitations (PALs) for GHG emissions. A PAL establishes a site-specific,

plant-wide emission level for a pollutant, and allows the source to make facility changes without triggering PSD requirements, provided that emissions do not exceed the PAL level. Under EPA's interpretation of federal PAL provisions, such PALs are available under PSD for non-GHG pollutants and GHGs on a mass basis. EPA is revising PAL regulations to allow for GHG PALs to be established on a CO<sub>2</sub>e basis, as well. EPA is also revising the regulations to allow a GHG-only source to submit an application for a CO<sub>2</sub>e-based GHG PAL, while maintaining minor source status. For further information: [Michael S. Brooks](#), (919) 541-3539.

**NAAQS FOR OZONE (07/23/12, [76 FR 42495](#)):** EPA is making available for public comment two draft assessment documents titled, [Health Risk and Exposure Assessment for Ozone, First External Review Draft](#) and [Welfare Risk and Exposure Assessment for Ozone, First External Review Draft](#). These two draft assessment documents describe the quantitative analyses that EPA is conducting as part of the review of the NAAQS for ozone (O<sub>3</sub>). In addition, on or about 13 August 2012, EPA will make available for public comment the first draft document titled, [Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards, First External Review Draft](#), as well as appendices and additional technical materials that support the first draft Policy Assessment and first draft Risk and Exposure Assessments. Comments on all documents should be submitted by 09/11/12. For further information: [Karen Wesson](#), 919-541-3515.

## **CLIMATE CHANGE**

**STATE OF THE CLIMATE IN 2011:** The primary goals of this report are to document the weather and climate events of the year, place them into accurate historical perspective, and provide information on state, trends and variability of the climate's many variables and phenomena. This is the [22nd annual edition of the State of the Climate](#) series, which began as the National Oceanic and Atmospheric Administration's Climate Assessment.

## **ENERGY**

**2013 BETTER BUILDINGS FEDERAL AWARD COMPETITION (07/12/12):** In support of the Obama Administration's comprehensive strategy to save energy, protect our air and water, and reduce costs for taxpayers, the Energy Department began accepting nominations for its 2013 Better Buildings Federal Award (BBFA), which recognizes the federal government's highest-performing buildings. The year-long competition challenges agencies to achieve the greatest reduction in annual energy intensity--or energy consumed per square foot--and will honor the federal building that achieves the greatest energy savings at the end the 12 month competition period. The nomination process will be open through 09/07/12, and the winner announced late next year. The winner of the 2012 competition is scheduled to be announced later this year.

## **EPCRA**

**FORM REVISIONS (07/13/12, [77 FR 41300](#)):** EPA has issued a final rule that modifies the Emergency and Hazardous Chemical Inventory Forms (EPCRA Section 312, Tier II form) by adding data elements and revising existing data elements. New data elements to be reported include: facility latitude and longitude; identification numbers assigned under the Toxic Release Inventory (TRI) and the risk management program; whether the location where the hazardous chemicals are stored is manned or unmanned; maximum number of occupants that may be present at the facility; and whether the facility is subject to EPCRA section 302 or CAA section 112(r), Risk Management Program. Optional data elements added include the facility phone number and parent company contact information. Other changes add separate data fields for reporting pure chemicals and mixtures; require facilities to provide a description of storage types and conditions rather than reporting codes. This rule becomes effective 01/01/14. For further information: [Sicy Jacob](#), (202)

## **TOXICS**

**Pesticide Applicator Certificate (07/05/12, [73 FR 39640](#)):** This final rule will reduce burden to restricted use pesticide (RUP) applicators and simplify federal certification expiration dates. RUPs may only be applied by or under direct supervision of an applicator certified as competent by a certifying agency. A State, Tribe, or Federal agency becomes a certifying agency by receiving EPA approval on their certification plan. In areas not covered by a certifying agency, EPA may establish a Federal certification plan and issue Federal certificates directly. EPA may issue a Federal certificate based on an existing valid certificate from a certifying agency; this final rule will synchronize the expiration dates on the Federal certificate with that of the certifying agency certificate on which the Federal certificate is based. This final rule is effective 09/04/12. For further information: [Joe Hogue](#), (703) 308-9072.

## **WATER**

**OCEAN ACIDIFICATION (07/11/12, [77 FR 40860](#)):** NOAA has released a [Draft Strategic Plan for Federal Research and Monitoring of Ocean Acidification](#). The plan is intended to guide "Federal research and monitoring on ocean acidification that will provide for an assessment of the impacts of ocean acidification on marine organisms and marine ecosystems

and the development of adaption and mitigation strategies to conserve marine organisms and marine ecosystems." The plan calls for implementation of a comprehensive global and regional ocean acidification observing system that includes monitoring of biological effects on marine organisms and ecosystems. Researchers will quantify the physiological effects of ocean acidification under a range of scenarios, and on a wide variety of marine organisms. Enhanced modeling efforts will lead to improved understanding of the global biogeochemical processes of ocean acidification and its impact on marine ecosystems. Comments are due 09/10/12. For further information: [Dr. Jennifer Howard](#), 301-713-8173.

# Professional Development

**VARIOUS DATES AND TIMES ONLINE:** [NPDES TRAINING COURSES AND WORKSHOPS](#). Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program; designed for permit writers, dischargers, USEPA officials and other interested parties.

**VARIOUS DATES AND TIMES ONLINE:** [2012 USACE 2012 TRAINING PROGRAM \(PURPLE BOOK\)](#). US Army Corps of Engineers FY 2012 training program is open for registration. For further information, contact USACE at (402) 697-2559.

**VARIOUS DATES AND TIMES ONLINE:** [INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) INTERNET BASED TRAINING](#). ITRC is a state-led coalition working together with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division (TIFSD), ITRC delivers training courses via the Internet to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents.

**VARIOUS DATES AND TIMES:** [EPA RCRA TRAINING](#). RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout USEPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations and implementation.

**VARIOUS DATES AND TIMES:** [NATIONAL ENFORCEMENT TRAINING INSTITUTE](#). EPA environmental enforcement training opportunities offered (E-Learning, Classroom, Webinar) for federal, state, tribal and local government environmental enforcement professionals.

**ANYTIME ONLINE:** [EPA WATERSHED ACADEMY](#). The website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in time to complete, from 1/2 hour to 2 hours.

**ANYTIME ONLINE:** [EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY](#). Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what doesn't, and how to make your program more successful. The format for the calls will be a formal presentation followed by a question and answer session and discussion time.

**ANYTIME ONLINE:** [EPA REDUCES RUNOFF VIDEO](#). Online video highlights green building techniques (rain gardens, green roofs, etc.) to help manage storm water runoff.

**ANYTIME ONLINE:** [DEFENSE ACQUISITION UNIVERSITY \(DAU\)](#). DAU developed on-line resources available for the DoD workforce, industry partners, and other federal, state, and local government organizations. The on-line resources provide the ability to apply for a course, take a continuous learning module for continuous learning credit, research policy and other documents, link to related learning and knowledge content, ask a professor a question, contribute knowledge objects (such as lessons learned, best practices, templates, or samples), or collaborate with peers on work issues.

**ANYTIME ONLINE:** [DOILEARN](#). DOI Learn houses natural resource courses and training offered by all organizations within the Department of Interior, to include the National Park System, Fish and Wildlife Service, Bureau of Land Management, etc.

**ANYTIME ONLINE:** [GOLEARN](#). GoLearn provides government employees and military personnel with web-based learning



and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

**ANYTIME ONLINE: [ARMY PODCAST SERVICE](#).** The Army offers free podcasts on a wide variety of topics, including an environmental series, an Army Corps of Engineers series, and many more. The podcasts are available through a free subscription service. It is not necessary to own an ipod in order to view or listen to a podcast.

**ANYTIME ONLINE: [TRAINING FOR FEDERAL GHG INVENTORIES](#).** A component of FedCenter's broader "Greenhouse Gas Inventory Reporting" site is available. The FEMP-developed training offers three types of training that can help in understanding the processes needed to develop an agency's GHG inventory under EO 13514 section 9. These trainings include online interactive courses, archived webinar videos and PowerPoint files from training courses.

**ANYTIME ONLINE: [BUILDING RETUNING](#).** The purpose of this course is to enable you to reduce operating cost and provide energy savings to buildings. The focus is on large (100,000 sq. ft.) commercial buildings, but the concepts and techniques presented can be applied to any type and size of facility that has a building automation system (BAS).

**AUGUST 17-18, ATLANTA, GA: [SOUTHEAST REGION ENVIRONMENTAL JUSTICE CONFERENCE](#).** The goals of the conference include: learning about tangible solutions to address environmental, social, and health Impacts associated with environmental pollution; engaging in networking opportunities with environmental justice leaders and organizations; and participating in various interactive workshops.

**AUGUST 22-24, SAVANNAH, GA: [2012 GEORGIA ENVIRONMENTAL CONFERENCE](#).** The annual conference is the state's largest and most comprehensive educational opportunity and will be attended by an estimated 500 state, local, and federal government officials, business and industry leaders, attorneys, consultants, engineers, energy experts, water planning districts and many others with a strong interest in Georgia's Environmental Programs.

**SEPTEMBER 10-14, RALEIGH, NC: [COMPOST OPERATIONS TRAINING](#).** The 40-hr, 5-day course includes lectures, hands-on activities and field trips. It focuses on the knowledge and skills necessary to run a successful composting facility, and is taught by leading composting professionals and educators

**SEPTEMBER 24-26, WASHINGTON, DC: [2012 GREENGOV SYMPOSIUM](#).** The Symposium will bring together leaders from government, the private sector, non-profits and academia to identify opportunities to create jobs, grow clean energy industries, and curb pollution by incorporating sustainable practices into the Federal Government's operations. This year's event will be co-sponsored by CEQ and the Association of Climate Change Officers (ACCO).

**SEPTEMBER 30-OCTOBER 5, COLUMBUS, OH: [ECOsumMIT 2012](#).** The summit will bring together respected minds in ecological science to discuss restoring the planet's ecosystems. Come hear Nobel Prize laureate Elinor Ostrom, Pulitzer Prize winners E.O. Wilson and Jared Diamond, Kyoto Prize winner Simon Levin, Stockholm Water Prize laureates Sven Jørgensen and William Mitsch, and many others in the first conference ever linking the Ecological Society of America (ESA), The International Association for Ecology (INTECOL) and the Society for Ecological Restoration International (SER). The symposia, general sessions, posters, and workshops cover a wide variety of ecological topics, over the entire week of the conference in parallel sessions.

**OCTOBER 1-5, NASHVILLE, TN: [COMPREHENSIVE FIVE-DAY TRAINING PROGRAM FOR ENERGY MANAGERS](#).** The seminar provides an in-depth, comprehensive learning and problem-solving forum for those who want a broader understanding of the latest energy cost reduction techniques and strategies. The program begins by examining the basic fundamentals within all key areas of energy management. From there, the instructors systematically move to "working level" knowledge specific principles and techniques. This approach has been specially designed to fulfill the needs of professionals who seek a broader and more detailed learning experience.

**OCTOBER 8-10, BALTIMORE, MD: [WATERSHED AND STORMWATER CONFERENCE 2012](#).** The conference will present the latest and emerging developments in watershed management through interactive educational sessions covering exciting themes and topics, such as stormwater management.

**OCTOBER 16-17, BATON ROUGE, LA: [NGWA FOCUS CONFERENCE ON GULF COAST GROUNDWATER ISSUES](#).** Extreme weather events and manmade disasters have challenged the Gulf coast area regarding prudent water and groundwater management too much, not enough where needed, or water quality challenges. Coastal and inland communities, as well as thriving urban centers, face continuing and variable challenges on how best to cope with large-scale catastrophes

that threaten water resources from both the quality and quantity perspectives. This conference addresses the technologies, new tools, and technological advancements can be applied to meet these challenges.

**OCTOBER 17-18, WASHINGTON, DC:** [2012 NAVAL ENERGY FORUM](#). Come share in a forum that brings together top leaders from the Department of the Navy, Industry, and Academia.

**OCTOBER 17-20, CHICAGO, IL:** [CITIESALIVE](#). CitiesAlive is North America's only conference dedicated to the green roof and wall industry. CitiesAlive 2012 will look back to celebrate the spectacular growth experienced by the green roof and wall industry over the last 10 years, and look forward to showcase the most leading-edge design, policy and research work in the industry.

**NOVEMBER 27-30, DENVER, CO:** [THE NATIONAL WIND COORDINATING COLLABORATIVE \(NWCC\) BIENNIAL WIND WILDLIFE RESEARCH MEETING](#). The meeting provides an internationally recognized forum for researchers and wind-wildlife stakeholders to hear contributed papers, view research posters, and listen to panels that synthesize the most recent wind power-related wildlife research. Academics, researchers, conservation scientists, consultants, federal and state officials, NGO representatives, and industry professionals come together for this unique opportunity.

# Staff Directory

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## How the Regional Offices Work for You

When used within the framework of ISO 14001, the *Southern Region Review of Legislative and Regulatory Actions* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for a general guidance. The reader should refer to cited source documents for more detailed information to determine the applicability and scope of referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices (REEOs) monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) causes a disproportionate effect on the Army or DoD, REEOs coordinate with potentially affected installations, commands, and/or other military Services to further assess the impact. If action on a proposed measure is necessary, REEOs work with Army or Service regulatory experts to communicate the DA/DoD position. Comments are combined from all parties in a single DoD/Army package, then formally submitted to the state.

Want to comment on a rule or bill in the *Review*?

Please contact your Regional Environmental Coordinator listed in the Staff Directory.

For further information on the Army's REEOs, visit: <http://www.asaie.army.mil/Public/InfraAnalysis/REEO/>.